



IN THE UNITED STATES PATENT OFFICE

COPY

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In Re Application of William E. Sonnier
Application No 10/060, 022
Filing date: 01/28/2002
Examiner: Badio
Art Unit: 1616
Date: September 15, 2004

Attorney reference: forbes-pitchextr

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JUN 14 2007

OFFICE OF PETITIONS

Mail Stop Petition
Commissioner for Patents,
PO BOX 1450
Alexandria, VA Washington DC
22313-1450

PETITION UNDER 37 CFR 1.137 (b) FOR REVIVAL OF
UNINTENTIONALLY ABANDONED APPLICATION


The Commissioner is respectfully petitioned to revive the above-noted application which was abandoned unintentionally by the apparent failure of my correspondence dated September 21, 2003 to reach the necessary personnel within the US Patent Office in a timely fashion.

Generally, the facts resulting in the unintentional abandonment are as follows:

- 1) The present application was filed on January 28, 2002;
- 2) I received a first office action on the merits dated March 21, 2003 from Examiner Badio;
- 3) After careful consideration of this matter, and consultation with the inventors in regards to the art cited, on September 19, 2003, I submitted an office action response in which the one claim rejected by the examiner was deleted and the Abstract amended in conformity with the examiner's comments;
- 4) This response was submitted to US Post Office by mail slot deposit in Point Roberts Washington USA, as permitted under the US Patent Rules, along with a Certificate of Mailing;
- 5) My office assistant at the time was advised by me to diarize the file and bring it forward in six months if we had not received further correspondence from the US Patent Office.
- 6) Although my assistant indicated to me that she had taken this step, it appears that, in error, no entry was made to bring this case forward in March 2004.
- 7) In July and August 2004, as I was working on the PCT National phase entry of the corresponding PCT application, I became aware that no follow up document has been received for the present US application.
- 8) I was informed after phoning the US Patent Office on September 8, 2004 that the present application had become abandoned. This abandonment was clearly unintentional.
- 9) I immediately began to review file material and instructed my office assistant to work with me in preparing revival documents;
- 10) I am filing herewith this Petition for Reinstatement of 10//060,022 as the apparent abandonment was clearly unintentional.

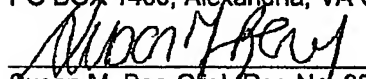
In support of this petition, the Applicant encloses herewith is a money order in the amount of \$685 (US) for the petition to revive an unintentionally abandoned application. Also enclosed is the response to the outstanding office action and copies of all supporting documents.

Respectfully submitted,


Susan Ben-Oliel
Patent Agent
Reg No 33,641

Certificate of Mailing Under 37CFR 1.8

I hereby certify that this paper and documents referred as being attached hereto or enclosed herewith are being deposited with the United States Postal Service on September 15, 2004 as first class mail in an envelope addressed to **Mail Stop Petition**, Commissioner for Patents, PO BOX 1450, Alexandria, VA USA 22313-1450


Susan M. Ben-Oliel (Reg No. 33,641)
Attorney of Record Phone 604-254-5530/Fax 604-687-5912



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PETITION UNDER 37 CFR 1.137 (b) FOR REVIVAL OF
UNINTENTIONALLY ABANDONED APPLICATION

In Re Application of William E. Sonnier
Application No 10/060, 022
Filing date: 01/28/2002
Examiner: Badio
Art Unit: 1618
Date: September 15, 2004

Attorney reference: forbes-pitchextr

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Mail Stop Petition
Commissioner for Patents,
PO BOX 1450
Alexandria, VA, USA
22313-1450

The above identified application became abandoned for failure to file in a timely and proper reply to a notice or action by the US Patent Office.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

Enclosed:

- 1) Petition Fee for Small Entity: \$685 (US Cheque). Applicant claims small entity status.
- 2) Reply (Office Action Reply).
- 3) Three Months Extension fee (if required): \$475 (US Cheque)
- 4) Terminal Disclaimer with statutory fee of \$55 (US).
- 5) Statement that the entire delay in filing this reply from the due date required until the filing of this grantable Petition under 37 CFR 1.137(b) was unintentional.

Susan M. Ben-Oliel
2983 West 41st Avenue
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Phone: 604-254-5530
Registration Number 33, 641

Enclosed:

- Fee payment of \$685 + \$55 = \$740 (US cheque); \$475 Extension Fee-separate US cheque
- Reply to Office Action
- Terminal Disclaimer

Certificate of Mailing Under 37CFR 1.8

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